

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

APPLE INC.)	
)	
Plaintiffs and Counterclaim)	
Defendants,)	Case No. 1:11-cv-178 (BBC)
)	
)	
v.)	
)	
MOTOROLA MOBILITY, INC.)	
)	
Defendants and Counterclaim)	
Plaintiffs.)	

**MOTOROLA MOBILITY, LLC’S MOTION IN *LIMINE*
TO PRECLUDE EVIDENCE AND ARGUMENT
RELATING TO TIMELINESS OF PATENT DISCLOSURES TO ETSI**

Motorola Mobility, LLC hereby moves this Court for entry of an order precluding Apple, Inc. from presenting evidence and argument relating to timeliness of patent disclosures to ETSI and pursuing its claim for breach of ETSI’s IPR disclosure policy at trial. Apple has withdrawn its claim for damages, and has pleaded no other remedy for Motorola’s alleged breach of ETSI’s IPR disclosure policy. There is no dispute that Motorola disclosed any and all patents at issue in this case a decade ago, so there is nothing further for the Court to require Motorola to perform in that regard. Thus, Apple is not entitled to a declaration of breach, specific performance or other equitable relief based on its claim for breach of ETSI’s IPR disclosure policy. Motorola’s Motion is based upon the Motion, Motorola’s Brief in Support of its Motion, and all cited record references therein.

Dated: September 28, 2012

Respectfully Submitted,

MOTOROLA MOBILITY, LLC.

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